

dix to Title 5, Government Organization and Employees.

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5.

“Coast Guard” substituted in text for “Revenue Cutter Service” on authority of act Jan. 28, 1915, which combined Revenue Cutter Service and Life-Saving Service to form Coast Guard. That act was repealed by section 20 of act Aug. 4, 1949, section 1 of which reestablished Coast Guard by enacting Title 14, Coast Guard.

Coast Guard transferred to Department of Transportation and all functions, powers, and duties, relating to Coast Guard, of Secretary of the Treasury and of other offices and officers of Department of the Treasury transferred to Secretary of Transportation by section 6(b)(1) of Pub. L. 89-670, Oct. 15, 1966, 80 Stat. 938. See section 108 of Title 49, Transportation.

Functions of all officers of Department of the Treasury, and functions of all agencies and employees of such Department, transferred, with certain exceptions, to Secretary of the Treasury, with power vested in him to authorize their performance or performance of any of his functions, by any of such officers, agencies, and employees, by Reorg. Plan No. 26 of 1950, §§1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5. Customs Service, referred to in this section, is a service under Department of the Treasury, and Coast Guard, also referred to in this section, was generally a service under such Department, but such Plan excepted, from transfer, functions of Coast Guard, and of Commandant thereof, when Coast Guard was operating as a part of the Navy under sections 1 and 3 of Title 14, Coast Guard.

Reorg. Plan No. III of 1940, §3, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232, set out in the Appendix to Title 5, Government Organization and Employees, consolidated Bureau of Fisheries and Bureau of Biological Survey with their respective functions into one agency in Department of the Interior to be known as Fish and Wildlife Service, and provided that functions of the consolidated agency shall be administered under direction and supervision of Secretary of the Interior.

Reorg. Plan No. II of 1930, set out in the Appendix to Title 5, transferred Bureau of Fisheries in Department of Commerce and its functions to Department of the Interior, to be administered under direction and supervision of Secretary of the Interior.

CHAPTER 12—FEDERAL REGULATION AND DEVELOPMENT OF POWER

SUBCHAPTER I—REGULATION OF THE DEVELOPMENT OF WATER POWER AND RESOURCES

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- Sec.
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 (e) Annual charges payable by licensees; maximum rates; application; review and report to Congress.
 (f) Reimbursement by licensee of other licensees, etc.
 (g) Conditions in discretion of commission.
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 (b) Relicensing proceedings; Federal agency recommendations of take over by Government; stay of orders for new licenses; termination of stay; notice to Congress.
808. New licenses and renewals.
 (a) Relicensing procedures; terms and conditions; issuance to applicant with proposal best adapted to serve public interest; factors considered.

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| <p>Sec.</p> <p>(e) Suspension of new rates; hearings; five-month period.</p> <p>(f) Review of automatic adjustment clauses and public utility practices; action by Commission; "automatic adjustment clause" defined.</p> <p>824e. Power of Commission to fix rates and charges; determination of cost of production or transmission.</p> <p style="padding-left: 20px;">(a) Unjust or preferential rates, etc.; statement of reasons for changes; hearing; specification of issues.</p> <p style="padding-left: 20px;">(b) Refund effective date; preferential proceedings; statement of reasons for delay; burden of proof; scope of refund order; refund orders in cases of dilatory behavior; interest.</p> <p style="padding-left: 20px;">(c) Refund considerations; shifting costs; reduction in revenues; "electric utility companies" and "registered holding company" defined.</p> <p style="padding-left: 20px;">(d) Investigation of costs.</p> <p>824f. Ordering furnishing of adequate service.</p> <p>824g. 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Information requirements.</p> | <p>Sec.</p> <p>(a) Requests for wholesale transmission services.</p> <p>(b) Transmission capacity and constraints.</p> <p>824m. Sales by exempt wholesale generators.</p> <p>SUBCHAPTER III—LICENSEES AND PUBLIC UTILITIES; PROCEDURAL AND ADMINISTRATIVE PROVISIONS</p> <p>825. Accounts and records.</p> <p style="padding-left: 20px;">(a) Duty to keep.</p> <p style="padding-left: 20px;">(b) Access to and examination by the Commission.</p> <p style="padding-left: 20px;">(c) Controlling individual.</p> <p>825a. Rates of depreciation; notice to State authorities before fixing.</p> <p>825b. Requirements applicable to agencies of United States.</p> <p>825c. Periodic and special reports; obstructing filing reports or keeping accounts, etc.</p> <p>825d. Officials dealing in securities.</p> <p style="padding-left: 20px;">(a) Benefits; making or declaring dividends out of capital account.</p> <p style="padding-left: 20px;">(b) Interlocking directorates.</p> <p style="padding-left: 20px;">(c) Statement of prior positions; definitions.</p> <p>825e. Complaints.</p> <p>825f. Investigations by Commission.</p> <p style="padding-left: 20px;">(a) Scope.</p> <p style="padding-left: 20px;">(b) Attendance of witnesses and production of documents.</p> <p style="padding-left: 20px;">(c) Resort to courts of United States for failure to obey subpoena; punishment.</p> <p style="padding-left: 20px;">(d) Testimony by deposition.</p> <p style="padding-left: 20px;">(e) Deposition of witness in a foreign country.</p> <p style="padding-left: 20px;">(f) Deposition fees.</p> <p>825g. Hearings; rules of procedure.</p> <p>825h. Administrative powers of Commission; rules, regulations, and orders.</p> <p>825i. Appointment of officers and employees; compensation.</p> <p>825j. Investigations relating to electric energy; reports to Congress.</p> <p>825k. Publication and sale of reports.</p> <p>825l. Review of orders.</p> <p style="padding-left: 20px;">(a) Application for rehearing; time periods; modification of order.</p> <p style="padding-left: 20px;">(b) Judicial review.</p> <p style="padding-left: 20px;">(c) Stay of Commission's order.</p> <p>825m. Enforcement provisions.</p> <p style="padding-left: 20px;">(a) Enjoining and restraining violations.</p> <p style="padding-left: 20px;">(b) Writs of mandamus.</p> <p style="padding-left: 20px;">(c) Employment of attorneys.</p> <p>825n. Forfeiture for violations; recovery; applicability.</p> <p style="padding-left: 20px;">(a) Forfeiture.</p> <p style="padding-left: 20px;">(b) Recovery.</p> <p style="padding-left: 20px;">(c) Applicability.</p> <p>825o. 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- Sec.
825s-2. Southeastern area sale and transmission of electric power; disposition of receipts; creation of continuing fund; use of fund.
825s-3. Southwestern area sale at uniform system-wide rates of electric power over transmission lines constructed with appropriated funds or used under contractual arrangements.
825t. Utilization of power revenues.
825u. Interest rate on power bonds held by Administrator of General Services.

SUBCHAPTER IV—STATE AND MUNICIPAL WATER CONSERVATION FACILITIES

828. Facilitation of development and construction of water conservation facilities; exemption from certain Federal requirements.
828a. Definitions.
828b. Exemption from formula, books and records, and project cost statement requirements; annual charges.
828c. Applicability of this subchapter.

APPLICATION TO NATIONAL PARKS

Acadia National Park, see section 342b of this title.
Big Bend National Park, see section 158 of this title.
Bryce Canyon National Park, see section 402e of this title.
Carlsbad Caverns National Park, see section 407b of this title.
Everglades National Park, see section 410b of this title.
Grand Canyon National Park, see section 221b of this title.
Great Smoky Mountains National Park, see section 403b of this title.
Hawaii National Park, see sections 391, 391b-1 of this title.
Isle Royale National Park, see section 408b of this title.
Lands reserved for park purposes in Coos County, Oregon, see section 405 of this title.
Lassen Volcanic National Park, see sections 201b, 204l, 205a, and 207a of this title.
Mammoth Cave National Park, see section 404b of this title.
Mount Rainier National Park, see section 108 of this title.
Rocky Mountain National Park, see section 197 of this title.
Shenandoah National Park, see section 403b of this title.
Yellowstone National Park, see section 21b of this title.
Yosemite National Park, see sections 47b, 47f of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 21b, 47b, 47f, 90d-4, 108, 158, 197, 201b, 204l, 205a, 207a, 221b, 342b, 391, 391b-1, 402e, 403b, 404b, 405, 407b, 408b, 410b, 435, 459a-1, 460m-11, 460m-21, 460ee, 460gg-2, 460ii-3, 460iii-3, 577b, 824a-1, 824a-3, 832h, 833g, 836, 839e, 1278, 2603, 2705, 3215 of this title; title 15 section 790a; title 25 section 326; title 30 section 621; title 33 section 467a; title 42 sections 2019, 7172, 7173, 7473, 7651b; title 43 sections 617d, 617e, 617k, 617l, 1634, 1761.

SUBCHAPTER I—REGULATION OF THE DEVELOPMENT OF WATER POWER AND RESOURCES

CODIFICATION

Section 212 of act of Aug. 26, 1935, ch. 687, 49 Stat. 847, provided that sections 1 to 29 of the Federal Water Power Act, as amended (sections 792, 793, 794 to 797, 798 to 818, 819, and 820 to 823 of this title) shall constitute part I of the act. Said section 212 also repealed sections

25 and 30 of the act (sections 819, 791 of this title). It also contained a proviso as follows: "That nothing in that Act, as amended, shall be construed to repeal or amend the provisions of the amendment to the Federal Water Power Act approved March 3, 1921 (41 Stat. 1353 [section 797a of this title]), or the provisions of any other Act relating to national parks and national monuments."

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in sections 797b, 797c, 797d, 824a-3, 825o, 2705, 3215 of this title; title 42 section 7172; title 43 sections 1555, 1634, 1761.

§ 791. Repealed. Aug. 26, 1935, ch. 687, title II, § 212, 49 Stat. 847

Section, act June 10, 1920, ch. 285, § 30, 41 Stat. 1077, designated the act as The Federal Water Power Act.

§ 791a. Short title

This chapter may be cited as the "Federal Power Act".

(June 10, 1920, ch. 285, pt. III, § 321, formerly § 320, as added Aug. 26, 1935, ch. 687, title II, § 213, 49 Stat. 863; renumbered Nov. 9, 1978, Pub. L. 95-617, title II, § 212, 92 Stat. 3148.)

CODIFICATION

Section was enacted as part of part III of the Federal Power Act, and not as part of part I of that Act which comprises this subchapter.

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-575, § 1, Nov. 15, 1990, 104 Stat. 2834, provided that: "This Act [enacting section 2243 of Title 42, The Public Health and Welfare, amending sections 796 and 824a-3 of this title and sections 2014, 2061, 2201, and 2284 of Title 42, and enacting provisions set out as a note under section 796 of this title] may be cited as the 'Solar, Wind, Waste, and Geothermal Power Production Incentives Act of 1990'."

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-473, § 1, Oct. 6, 1988, 102 Stat. 2299, provided that: "This Act [amending section 824e of this title and enacting provisions set out as notes under section 824e of this title] may be cited as the 'Regulatory Fairness Act'."

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99-495, § 1(a), Oct. 16, 1986, 100 Stat. 1243, provided that: "This Act [enacting sections 797b and 823b of this title, amending sections 797, 800, 802, 803, 807, 808, 817, 823a, 824a-3, and 824j of this title, and enacting provisions set out as notes under sections 797, 803, 823a, 824a-3, and 825h of this title] may be cited as the 'Electric Consumers Protection Act of 1986'."

§ 792. Federal Power Commission; creation; number; appointment; term; qualifications; vacancies; quorum; chairman; salary; place of holding sessions

A commission is created and established to be known as the Federal Power Commission (hereinafter referred to as the "commission") which shall be composed of five commissioners who shall be appointed by the President, by and with the advice and consent of the Senate, one of whom shall be designated by the President as chairman and shall be the principal executive officer of the commission. Each chairman, when so designated, shall act as such until the expiration of his term of office.